

FILED**United States District Court****AUG - 8 2005****MIDDLE****DISTRICT OF****ALABAMA****CLERK****U. S. DISTRICT COURT
MIDDLE DIST. OF ALA.****UNITED STATES OF AMERICA****CRIMINAL COMPLAINT**

v.

CASE NUMBER:

*2:05mj 90-B***NOE SANTIAGO-LOPEZ**

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about **June 30, 2005** in **Elmore** county, in the **Middle** District of **Alabama** defendant(s) did, (Track Statutory Language of Offense)

did knowingly with intent to deceive, falsely represent a number to be the Social Security account number assigned by the Secretary to him, when in fact, such number is not the Social Security account number assigned by the Secretary to him,

in violation of Title **42** United States Code, Section(s) **408(a)(7)(B)**.

I further state that I am a(n) **ICE Officer** and that this complaint is based on the following facts:

Official Title

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Bla TR

Signature of Complainant

Sworn to before me and subscribed in my presence,

August 8, 2005at **Montgomery, Alabama**

Date

City and State

Delores R. Boyd, U.S. Magistrate Judge

Name and Title of Judicial Officer

Signature of Judicial Officer

AFFIDAVIT

I, Blake Diamond, being duly first sworn, do hereby state and affirm that:

I am a duly sworn Special Agent of the U.S. Immigration and Customs Enforcement (ICE) assigned to the office of the Resident Agent in Charge, Mobile, Alabama. I have been employed as a federal agent for approximately nine years. My principal assignment has been to conduct criminal investigations of persons involved in violation of the United States Code relating to Title 8 - Aliens and Nationality.

On June 30, 2005, Alabama State Trooper and ICE Officer Anthony Birmingham stopped a white 1999 GMC Sonoma truck bearing Alabama license plate 62B959W on Alabama Highway 9 near Eclectic, Alabama for speeding 75 mph in a 55 mph zone. When asked for identification the driver presented a University of Utah identification card bearing the name Noe SANTIAGO. He also presented two Social Security Cards, one bearing the name ANDREW LOPEZ #449-61-3502 and the other bearing the name FLAVIO CASTILLO SANTIAGO #536-71-0744.

Trooper Birmingham issued SANTIAGO-Lopez driving citations for Speeding and Driving Without First Obtaining a Driver's License. Upon further questioning, Trooper Birmingham discovered that SANTIAGO-Lopez was a native and citizen of Mexico illegally present in the United States. Trooper Birmingham determined that the two Social Security cards were fraudulent and arrested SANTIAGO-Lopez for Criminal Possession of Forged Instrument 2nd.

On June 30, 2005, I contacted Helen Lewis with the Social Security Administration. She conducted a search of their database with the number 449-61-3502. The search revealed that the number was registered to Andrew Lopez, who is a U.S. citizen born in Weslaco, Texas. Mrs. Lewis also conducted a search of their database with the number 536-71-0744. The search revealed that this number is invalid has not been issued.

On July 07, 2005, I interviewed SANTIAGO-Lopez at the Elmore County Jail in Wetumpka, Alabama. I informed SANTIAGO-Lopez of his Miranda Warnings in the Spanish language. He waived his right to counsel and agreed to answer questions without the presence of an attorney. SANTIAGO-Lopez freely and voluntarily admitted to being a native and citizen of Mexico. He claimed that he last entered the United States illegally near Nogales, Arizona sometime in January of 2001.

He claimed his friend, Flavio SANTIAGO, gave him the fraudulent Social Security cards when he departed the United States and returned to Mexico. He claimed that Andrew LOPEZ is a friend of his who works in Wetumpka, Alabama.

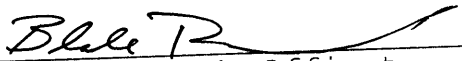
On June 12, 2005, I submitted both Social Security Cards (449-61-3502 and 536-71-0744) to the Forensic Document Laboratory (FDL) in McLean, Virginia for examination of authenticity.

On July 27, 2005, I received a report from the U.S. Immigration and Customs Enforcement - Forensic Document Laboratory (FDL) on the documents submitted in the SANTIAGO-Lopez case.

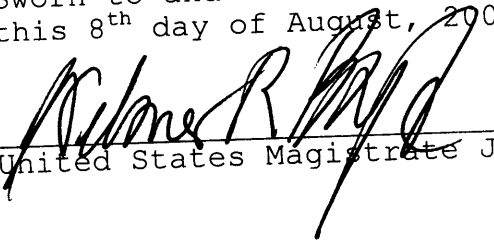
The report revealed that the Social Security card (449-61-3502) possessed by SANTIAGO-Lopez is a counterfeit Social Security card. This is supported by the lack of security features found on genuine Social Security cards.

The report also revealed that the Social Security card (536-71-0744) possessed by SANTIAGO-Lopez is a counterfeit Social Security card. This is supported by the lack of security features found on genuine Social Security cards.

Noe SANTIAGO-Lopez is in violation of, but not limited to, Title 42 U.S.C. 408(a)(7)(B), Whoever knowingly with intent to deceive, falsely represents a number to be the Social Security account number assigned by the Secretary to him or to another person, when in fact such number is not the Social Security account number assigned by the Secretary to him or to such other person, that is Social Security number 449-61-3502. The penalty, upon conviction, for this offense shall be a fine under Title 18, or imprisonment not more than 5 years, or both.


Blake Diamond, Affiant
U.S. Immigration and Customs Enforcement

Sworn to and subscribed before me
this 8th day of August, 2005.


United States Magistrate Judge